

### **REMARKS**

This is intended as a full and complete response to the Office Action dated September 17, 2008, having a shortened statutory period for response set to expire on December 17, 2008. Please reconsider the claims pending in the application for reasons discussed below.

Claims 10-14, 21-29, 35, 37 and 40-41 remain pending in the application and are shown above. Claims 1-9, 15-20, 30-34, 36, 39, and 42-46 have been cancelled by Applicant. Claims 2-6, 15-20, and 42-45 are rejected, and claims 10-14, 21-29, 35, 37 and 40-41 are indicated to be allowable by the Examiner. Applicant has canceled all rejected claims without prejudice and respectfully submits that the remaining claims are in condition for allowance.

#### ***Claim Rejections - 35 U.S.C. § 102***

Claims 2, 4, 6, 30, and 38 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Nishinakayama et al.* (U.S. Patent Number 6,510,365). Applicant has canceled claims 2, 4, 6, 30, and 38 without prejudice.

#### ***Claim Rejections - 35 U.S.C. § 103***

Claims 3, 5, 7-9, 31, 36, 42-45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nishinakayama et al.* (U.S. Patent Number 6,510,365) in view of *Storm et al.* (U.S. Patent Number 6,746,237). Applicant has canceled claims 3, 5, 7-9, 31, 36, and 42-45 without prejudice.

Claims 15-20 and 32-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nishinakayama/365*, in view of *Brown et al.* (U.S. Patent Number 6,689,519). Applicant has canceled claims 15-20 and 32-34 without prejudice.

***Allowable Subject Matter***

The Examiner indicates that claims 10-14, 21-29, 35, 37, 40, and 41 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully traverses the objection.

Applicant respectfully submits that the aforementioned claims are already in condition for allowance. Claim 10 is in independent form and claim 11 is dependent thereon. Claim 12 is in independent form and claims 13-14 are dependent thereon. Claims 21 and 22 are each in independent form. Claim 23 is in independent form and claim 24 is dependent thereon. Claims 25 and 26 are each in independent form. Claim 27 is in independent form and claims 28 and 29 are dependent thereon. Claims 35, 37, 40, and 41 are each in independent form. Therefore, Applicant respectfully requests withdrawal of the Examiner's objection and allowance of claims 10-14, 21-29, 35, 37, 40, and 41.

Having addressed all issues set out in the Final Office Action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,

By 

Keith M. Tackett

Registration No.: 32,008

PATTERSON & SHERIDAN, LLP

3040 Post Oak Blvd, Suite 1500

Houston, Texas 77056

Telephone: (713) 623-4844

Facsimile: (713) 623-4846

Attorney For Applicant